



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

ADG
F. #2018R01188

*271 Cadman Plaza East
Brooklyn, New York 11201*

August 22, 2018

By Email and ECF

Mildred Whalen, Esq.
Federal Defenders of New York
One Pierrepont Plaza
16th Floor
Brooklyn, NY 11201

Re: United States v. Stanislaw Pszeniczny
Criminal Docket No. 18-433 (JBW)

Dear Ms. Whalen:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. Pursuant to the United States Attorney's Office for the Eastern District of New York's Illegal Reentry Fast-Track Program, a copy of the defendant's criminal history will be the sole Rule 16 discovery that the government will provide until the parties determine whether the defendant will participate in the Fast-Track Program. The defendant's criminal history is Bates-numbered SP_000001 - SP_00005.

IV. Future Discussions

If you have any questions or requests regarding discovery or a disposition of this matter, please do not hesitate to contact me.

Please be advised that, pursuant to the policy of the Office concerning plea offers and negotiations, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, any discussion regarding the pretrial disposition of a matter that is not reduced to writing and signed by authorized representatives of the Office cannot and does not constitute a "formal offer" or a "plea offer,"

as those terms are used in Lafler v. Cooper, 132 S. Ct. 1376 (2012), and Missouri v. Frye, 132 S. Ct. 1399 (2012).

Very truly yours,

RICHARD P. DONOGHUE
United States Attorney

By: /s/ Andrew D. Grubin
Andrew D. Grubin
Special Assistant U.S. Attorney
(718) 254-6322

Enclosures

cc: Clerk of the Court (JBW) (by ECF) (without enclosures)